

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1, 3, 5-9, 11, 13-17, 19, 21-25, 27, and 29-44 are pending in this application. Claims 1, 3, 5-9, 11, 13-17, 19, 21-25, 27, and 29-44 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. patent 5,898,600 to Isashi in view of U.S. patent 5,594,619 to Miyagawa et al. (herein "Miyagawa") and U.S. patent 5,208,736 to Crooks et al. (herein "Crooks"). That rejection is traversed by the present response, as discussed next.

Each of the independent claims is amended by the present response to clarify features recited therein. Independent claim 1 now further recites the display body also able to be in "a closed position in which the display body covers the keyboard". As evident for example in Figures 2, 7, and 8 in the present specification the display body 30 can be in a closed position in which it covers the keyboard 21, the way any standard laptop computer opens and closes. Independent claim 1 now also further recites:

at least first operating means, provided separate from the keyboard and adjacent to the keyboard, for operating the information processing device disposed at a position to be operable when said display body is in the closed position, open position, or turned rotated position.

The other independent claims are amended to recite similar features.

With reference to Figures 7A-7D in the present specification as a non-limiting example, the claimed information processing device can include at least first operating elements (e.g. buttons B1-B4) and second operating elements (e.g. dial 32).

As evident for example from Figures 7A-7D the first operation elements (e.g. buttons B1-B4) are separate from the keyboard 21 and are adjacent to the keyboard 21. Further, those first operating elements can be operated when the display body 30 is in a closed position in which it covers the keyboard 21, when the display body 30 is in an open position

as shown in Figure 7A, and when the display body 30 is in a turned rotated position as shown in Figures 7B-7D.

It was also shown in Figures 7A-7D a second operating element (e.g. dial 32) can be operable when the display body is in the turned rotated position. Further, the first operating elements (e.g. buttons B1-B4) and the second operation element (e.g. dial 32) are positioned on the same left or right side of the display screen when the display body 30 is in the open position (see Figure 7A), and when the display body is in a turned rotated position the second operating element (e.g. dial 32) is positioned on an opposite left or right side of the display screen as the first operating elements (e.g. buttons B1-B4) (see Figures 7B-7D).

Applicants respectfully submit such a combination of features as discussed above and as reflected in the claims is believed to clearly distinguish over the applied art.

The outstanding rejection appears to reference the keyboard in Isashi as meeting the limitations of the claimed “first operating means” and reference the trackball and associated buttons as corresponding to the claimed “second operating means”. Applicants traverse that basis for the outstanding rejection.

The claims now clearly recite that the first operating means or unit is “provided separate from the keyboard and adjacent to the keyboard”. It is clear that in the claimed invention, and again with reference to Figures 7A-7D in the present specification as a non-limiting example, the noted first operating means or unit (e.g. buttons B1-B4) is a separate element from the keyboard 21.

The claims also clarify that the “first operating means [unit]” can be operable when the display body is in a closed position in which a display body covers the keyboard. Clearly that cannot be the case in Isashi as in that case the keyboard in Isashi would be covered by the display body.

Moreover, and as apparently recognized in the Office Action, Isashi does not disclose or suggest that one of the first and second operating means “is provided on the display body but outside of and operating independently of contact with said display screen”. To cure that deficiency in Isashi the outstanding Office Action now appears to cite the trackball 20 in Crooks that is provided on a display body 18.

However, applicants respectfully submit that if the teachings in Crooks were combined with the teachings of Isashi to replace the trackball 22 in Isashi with the trackball 20 on a display body as in Crooks, then such a combination of teachings would not meet the further claim limitation that:

wherein the at least first operating means and the second operating means are positioned on the same left or right side of the display screen when the display body is in the open position, and when the back surface of said display body is in the turned rotated position the second operating means is positioned on an opposite left or right side of the display screen as the at least first operating means,

as specifically recited in independent claim 1 and as similarly recited in the other independent claims.

Again with reference to Figures 7A-7D in the present specification, when the display body 30 is in its turned rotated position the first and second operating means or units (e.g. buttons B1-B4 and dial 32) are on opposite sides of the display body. No combination of cited art teachings would teach or suggest that the feature particularly in view of modifying Isashi in view of Crooks.

Also, applicants submit the outstanding rejection is completely disregarding benefits realized in the claimed invention that are not addressed by any of the applied art. With the claimed structure when a display body is in its turned rotated position a user can very simply operate the device because the user can put their left hand on the left side of the display body and control for example the first operating buttons B1-B4, and the user can put the right hand

on the right side of the display body and thereby simply control the second operating device of the dial 32. Thereby, with simple placement of a user's hands the user can easily control an information processing device.

The outstanding rejection is completely disregarding such benefits realized in the claimed invention, and which are not even alluded to in any of the cited art.

In view of these foregoing comments applicants respectfully submit each of the claims as written distinguishes over the applied art.

Moreover, applicants respectfully submit the outstanding rejection is improperly disregarding features in several of the dependent claims.

First, with respect to claims 7, 15, 23, and 31 those claims further recite displaying a system menu when operating the first operating means or unit. The outstanding rejection appears to indicate such a feature is met by a user being able to operate the "ESC" key on a keyboard.

In reply applicants note, and as noted above, the claims now clearly recite the first operating means or unit is separate from a conventional keyboard, and thereby clearly the basis for the rejection of claims 7, 15, 23, and 31 is traversed.

Further with respect to dependent claims 8, 16, 24, and 32-36, those claims also clearly distinguish over the applied art as they also recite displaying a system menu based on operation of a first operating means or unit. Clearly as noted above such features distinguish over the applied art.

Further, with respect to dependent claims 37-44 the outstanding rejection is improperly disregarding the positive recited limitations therein. Again those claims also recite displaying a system menu when operating the first operating means or unit, which as noted above clearly distinguishes over the applied art. Moreover, dependent claim 37 further recites:

said first operating means includes a set of operating buttons, said second operating means includes a control dial, and said set of operating buttons is dedicated for only display of the system menu showing processing items.

Claims 38-44 recite similar features.

The outstanding rejection completely disregards those claim features without citing any art to meet such claim limitations.

As noted above, the claimed structure provides a significant advantage in allowing a simple use by a user. With the claimed invention when the display device is in the turned rotated position, see for example Figures 7C and 7D in the present specification, the user's left hand can simply control the buttons B1-B4 and the user's right hand can simply control the dial 32. With such a structure a user can have a good grip on the processing device and still effectuate controls. None of the applied art teach or suggest such features or benefits.

Moreover, the rejection to claims 37-44 is completely disregarding the claimed structure and the benefits realized by the claimed structure. To that extent, applicants submit the rejection to claims 37-44 clearly does not even establish a proper *prima facie* case of obviousness. That is, as noted in M.P.E.P. § 2143:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The outstanding rejection to claims 37-44 has not even attempted to establish any of the three criteria noted above for a proper *prima facie* case of obviousness. That is, no

reference or knowledge in the art suggests modifying the applied art to meet the specific limitations in claims 37-44. No disclosure in any art would indicate that any benefits could be realized by meeting the claimed structure. In fact it appears it is only the applicants of the present invention that have realized benefits with the claimed structure. Finally, no reference suggests all the claim limitations, as evident from the basis for the rejection.

Thereby, applicants respectfully submit claims 37-44 even further distinguish over the applied art.

In view of the present response applicants respectfully submit the claims as written are allowable.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

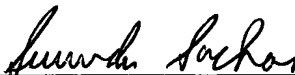
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